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Attorneys for Plaintiff Elbex Video, Ltd.

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

**ELBEX VIDEO, LTD., a Japanese
Corporation,**

Plaintiff,

v.

**TYCO INTERNATIONAL, LTD.,
SENSORMATIC ELECTRONICS
CORPORATION and JOHN DOES 1-10,**

Defendants.

**CIVIL ACTION NO. 06 CV 5178
(PGS)(ES)**

Hon. Esther Salas, U.S.M.J.

PROPOSED ORDER

THIS MATTER having come before the Court by Gottlieb, Rackman & Reisman, P.C., attorneys for plaintiff Elbex Video Ltd. ("Elbex"), for the entry of an Order directing the sealing of certain documents previously filed via ECF pursuant to Local Civil Rule 5.3(c); and it appearing from the papers submitted in support of the motion that plaintiff is entitled to the relief sought; and good cause having been shown; for the reasons set forth in the Court's Findings of Fact and Conclusions of Law with respect to this motion;

IT IS, on this 24th day of May, 2007

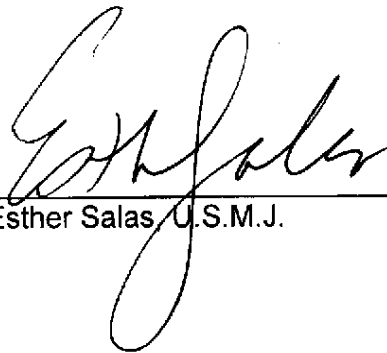
ORDERED that Elbex's Motion to Seal certain documents previously filed in support of Elbex Video Ltd.'s Combined Memorandum of Law in Opposition to Tyco International Ltd.'s Motion to Dismiss and In Support of Elbex Video Ltd.'s Cross-Motion for Leave to File a First Amended Complaint Under Fed. R. Civ. P. 15(a) and for Discovery Relating to Tyco International Ltd.'s Motion to Dismiss is granted with respect to the following documents, pursuant to Local Civil Rule 5.3(c)

- Sensormatic Offer Sheets, bates labeled TBS008749-TBS008751, which are attached as Exhibit 4 to the prior Declaration of Steven Stern;
- Ownership Chart for Tyco Building Services Pte. Ltd., bates labeled TBS006127, which is attached as Exhibit 6 to the prior Declaration of Steven Stern;
- Tyco Building Services Pte. Ltd. Notes to the Financial Statements for the Financial Year Ending September 30, 2002, bates labeled TBS009052, which is attached as Exhibit 7 to the prior Declaration of Steven Stern; and
- Corporate Data Sheet Reports, bates labeled T000225-T000229, and Tyco Fire & Security Services Asia, Asia Organization Chart, bates labeled TBS008660, which are attached as Exhibit 8 to the prior Declaration of Steven Stern.

IT IS FURTHER ORDERED, that in accordance with the foregoing, the following six (6) ECF attachments shall be sealed:

- Attachment described as "Exhibit 4" of Docket Entry No. 29 (dated September 25, 2007)
- Attachment described as "Exhibit 6" of Docket Entry No. 29 (dated September 25, 2007)
- Attachment described as "Exhibit 7" of Docket Entry No. 29 (dated September 25, 2007)
- Attachment described as "Exhibit 8" of Docket Entry No. 29 (dated September 25, 2007)

- Attachment described as "Decl. of Steven Stern" of Docket Entry No. 30 (dated October 2, 2007).
- Attachment described as "Cont. of Decl." of Docket Entry No. 30 (dated October 2, 2007).



Hon. Esther Salas, U.S.M.J.

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**PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Plaintiff Elbex Video Ltd. ("Elbex") having filed a Motion To Seal certain documents that were submitted in support of Elbex Video Ltd.'s Combined Memorandum of Law in Opposition to Tyco International Ltd.'s Motion to Dismiss and In Support of Elbex Video Ltd.'s Cross-Motion for Leave to File a First Amended Complaint Under Fed. R. Civ. P. 15(a) and for Discovery Relating to Tyco International Ltd.'s Motion to Dismiss, the Court makes the following findings of fact and conclusions of law, pursuant to Local Civil Rule 5.3(c)(5):

1. The Court finds that the information sought to be sealed appears to contain sensitive business information of Tyco.

2. The Court further finds that revealing to the public and the parties' competitors the confidential business information sought to be sealed may injure Tyco's business interests.

3. Accordingly, the Court finds that good cause exists to seal the documents at issue under the considerations set forth in *Pansy v. Borough of Stroudsburg*, 23 F.3d 772 (3d Cir. 1994) and Local Civil Rule 5.3(c)(2). The Court therefore permits the requested documents to be maintained under seal and that certain documents previously filed via ECF be placed under seal.



Hon. Esther Salas, U.S.M.J.